IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

U.S. BANK NATIONAL)	
ASSOCIATION N.D.,)	
-4.1.100)	
Plaintiff,)	
vs.)	Civil Action Number
)	2:09-cv-1823-AKK
TOMPKINS & SOMMA LLC, et)	
al.,)	
)	
Defendants.)	

ORDER

On September 22, 2011, the magistrate judge issued his report and recommendation, doc. 79, regarding Plaintiff U.S. Bank National Association N.D.'s ("U.S. Bank") motion for partial summary judgment, doc. 40, against Defendants Tompkins & Somma LLC and Blake Tompkins. On October 7, 2011, within the fifteen day deadline, U.S. Bank filed objections to the magistrate judge's report and recommendation, doc. 88.

After careful *de novo* consideration of the record in this case, the magistrate judge's report and recommendation, and objections thereto, the court hereby **ADOPTS** the report of the magistrate judge. The court further **ACCEPTS** the recommendations of the magistrate judge and it is, therefore,

ORDERED, ADJUDGED and **DECREED** that U.S. Bank's motion for partial summary judgment is due to be and hereby is **DENIED**.

DONE the 1st day of February, 2012.

ABDUL K. KALLON

UNITED STATES DISTRICT JUDGE